

1914

c 231 Children's Protection Act

Ontario

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Bibliographic Citation

Children's Protection Act, RSO 1914, c 231

Repository Citation

Ontario (1914) "c 231 Children's Protection Act," *Ontario: Revised Statutes*: Vol. 1914: Iss. 2, Article 61.

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CHAPTER 231.

An Act for the Protection of Neglected and
Dependent Children.

HIS MAJESTY, by and with the advice and consent of
the Legislative Assembly of the Province of Ontario,
enacts as follows:—

1. This Act may be cited as *The Children's Protection Act* Short title.
of Ontario. 3-4 Geo. V. c. 62, s. 1.

2.—(1) In this Act,

Interpreta-
tion.

- (a) "Child" shall mean a boy or girl actually or appar- "Child."
ently under sixteen years of age;
- (b) "Children's Aid Society" shall mean a society hav- "Children's
Aid
Society."
ing among its objects the protection of children
from cruelty and the care and control of neglected
children which has been approved by the Lieuten-
ant-Governor in Council for the purposes of this
Act; and, in a county or district in which there is
no children's aid society, shall mean the Superin-
tendent;
- (c) "Court of Summary Jurisdiction" shall mean and "Court of
summary
jurisdic-
tion."
include a police magistrate, a commissioner ap-
pointed for the trial of juvenile offenders or two
justices of the peace;
- (d) "Foster Home" shall mean a home in which a "Foster
Home."
neglected child may be placed;
- (e) "Judge" shall mean a Judge or a retired Judge of "Judge."
the Supreme Court or of a county or district
court, or a police magistrate, or a commissioner
appointed for the trial of juvenile offenders, or
two justices of the peace;
- (f) "Minister" shall mean the Provincial Secretary or
such other member of the Executive Council as "Minister."
may be charged for the time being with the admin-
istration of this Act;
- (g) "Municipality" shall mean a county or a city or "Munici-
pality."
town separated from a county, or a provisional
judicial district;

"Neglected Child."

(h) "Neglected Child" shall mean a child who is found begging, receiving alms, thieving in a public place, sleeping at night in the open air, loitering about in a public place after nine o'clock in the evening, associating or dwelling with a thief, drunkard or vagrant, or is an habitual truant, or a child who by reason of the neglect, drunkenness or other vice of its parents is growing up without salutary parental control and education, or in circumstances exposing such child to an idle and dissolute life; or who is found in a house of ill-fame, or known to associate with or be in the company of a reputed prostitute; or an orphan, or an illegitimate child whose mother is unable to maintain it; or who is deserted by its parents; or whose only parent is undergoing imprisonment for crime; or who by reason of ill-treatment, continual personal injury or grave misconduct or habitual intemperance of its parents or either of them is in peril of loss of life, health or morality; or whose home by reason of neglect, cruelty or depravity, is an unfit place for such child; and "Neglected Children" shall mean two or more of such children;

"Parent."

(i) "Parent" shall include a guardian and every person who is by law liable to maintain a child;

"Place of safety."

(j) "Place of Safety" shall include a shelter or temporary home established by a children's aid society or any institution established for the care and protection of children, but not a gaol, prison, police station or lockup;

"Public place."

(k) "Public Place" shall mean a street, highway or lane, whether a thoroughfare or not, and a tavern or other place of public resort, and generally any place to which the public have or are permitted to have access;

"Superintendent."

(l) "Superintendent" shall mean the Superintendent of Neglected and Dependent Children. 3-4 Geo. V. c. 62, s. 2.

Jurisdiction of judges and magistrates.

3. A Judge or a retired Judge of the Supreme Court or of a County or District Court shall have jurisdiction under this Act in any part of Ontario, and a police magistrate or a commissioner or two justices shall have jurisdiction in the county or other locality for which they hold office. 3-4 Geo. V. c. 62, s. 3.

SUPERINTENDENT OF NEGLECTED CHILDREN.

Superintendent of neglected and dependent children.

4. The Lieutenant-Governor in Council may appoint an officer to be known as the Superintendent of Neglected and Dependent Children, whose salary shall be paid out of such

money as may be appropriated for that purpose by this Legislature; and it shall be his duty

- (a) to encourage and assist in the establishment of children's aid societies; Duties.
- (b) to advise such societies and instruct them as to the manner in which their duties are to be performed;
- (c) to see that a record in such form as may be prescribed by the Superintendent is kept by such societies of all committals, and of all children placed in foster homes under this Act and of such other particulars as may be deemed desirable;
- (d) to direct and supervise the visiting of any place where a child is placed pursuant to the provisions of this Act;
- (e) to prepare and submit an annual report to the Minister;
- (f) to visit and inspect industrial schools and shelters as may be directed by Departmental Regulations, and report at least twice each year to the Minister on the conditions, management and discipline of each industrial school, with suggestions for their improvement;
- (g) to perform such other duties as may be prescribed by the Lieutenant-Governor in Council. 3-4 Geo. V. c. 62, s. 4.

5. The Superintendent shall have and may exercise all the powers conferred upon a children's aid society, and shall have power to appoint such person as he may see fit to act for him as occasion may require. 3-4 Geo. V. c. 62, s. 5. Powers of superintendent.

CHILDREN'S SHELTERS.

6.—(1) For the better protection of neglected children the corporation of every city or county shall provide one or more places of refuge for such children only, to be known as temporary homes or shelters, and shall assist in the maintenance thereof. Children's shelters.

(2) An orphan or children's home may, with the consent of the trustees or governing body thereof, be used as a temporary home or shelter under this section; and when desirable for economical reasons, not inconsistent with the welfare of the children to be provided for, such temporary home or shelter may be established in a private family. Orphan and children's homes.

(3) When a children's aid society has been established it shall receive into the temporary home or shelter provided by or at the expense of the municipality all children found to be Supervision of shelters by Children's Aid Society.

neglected under this Act and have their supervision and management.

Society
may hold
property.

(4) A children's aid society may buy, sell, lease, hold or otherwise deal with real and personal property for the purposes of the society.

Dissolution
of societies.

(5) If a society or committee established under this Act ceases to exist or does not hold a meeting for a period of six months the secretary or other officer shall deliver to the Superintendent all books, documents, records and financial statements, and pay over to him all trust funds on hand, and the society or committee shall thereupon be dissolved and its property shall be vested in the Minister; and the Superintendent shall then reorganize the work or make such arrangements for carrying it on as the Minister may approve. 3-4 Geo. V. c. 62, s. 6.

COUNTY COMMITTEES.

Children's
committees.

7.—(1) In any electoral district, town or village there may be established by the children's aid society of the county or by the Superintendent a committee consisting of not less than six persons, at least one half of whom shall if practicable be women, to be known as the "Children's Committee;" and the committee and the members thereof shall co-operate with the Superintendent and with the children's aid societies.

Powers of
committee.

(2) The committee or any member thereof shall have and may exercise the powers conferred by sections 8 and 9 under the direction of the society, and may adopt such methods as they may think best for securing voluntary subscriptions to be devoted to carrying out the objects of this Act. 3-4 Geo. V. c. 62, s. 7.

APPOINTMENT AS PROBATION OFFICERS.

Powers as
probation.

8. The officers of a children's aid society may act as probation officers for the purpose of enforcing the provisions of this Act and of *The Industrial Schools Act*. 3-4 Geo. V. c. 62, s. 8.

Rev. Stat.
c. 271.

APPREHENSION OF NEGLECTED CHILDREN.

Neglected
child—
Apprehension.

9.—(1) A constable or a person authorized under section 8 to act as a probation officer or a chief constable or inspector of police may apprehend without warrant and take to a place of safety any neglected child.

Proceedings before
Judge.

(2) The child shall be returned to its parents or guardians or be brought before the Judge for examination within one week after apprehension, and the Judge shall investigate the facts of the case and ascertain whether the child is a neglected

child and its age, and the name, residence and religion of its parents.

(3) The Judge may compel the attendance of witnesses and may require the attendance of the crown attorney upon such investigation. Witnesses.

(4) The parents or person having the actual custody of a child shall be notified of the investigation, and any person may appear on behalf of the child. Parents, etc., may appear.

(5) If on such investigation the Judge finds that the child is a neglected child he may order that the child be delivered to a children's aid society; and the society may send the child to their temporary home or shelter to be kept until placed in a foster home. Child may be delivered to Society.

(6) The order shall contain a statement of the facts so far as ascertained, and shall name the municipal corporation liable for maintenance, and shall be filed with the Superintendent, and the Judge shall transmit a certified copy thereof to the children's aid society. Order to be filed with Superintendent and Society.

(7) The expense of conveying a child to any shelter or industrial school shall be paid by the treasurer of the county, city, separated town or provisional judicial district in which such child is committed, and the person conveying such child shall, when practicable, be an officer of a children's aid society. 3-4 Geo. V. c. 62, s. 9. Expenses of conveyance of child.

10. The Superintendent and any person acting under his authority may call to his aid in the performance of his duties a constable of the locality, and the constable when so called shall be entitled for his services to the same fees as he would be entitled to for like services under *The Administration of Justice Expenses Act*, and the same shall be payable in like manner as the fees of constables are payable under that Act. 3-4 Geo. V. c. 62, s. 10. Employment of local constables. Rev. Stat. c. 96.

11. The superintendent of any infants' or children's home or other public institution having the custody of children may bring before the Judge any child who there is cause to believe has been neglected or deserted by its parents, and the Judge may make an order committing the child to the care of a children's aid society under the provisions of this Act. 3-4 Geo. V. c. 62, s. 11. Commitment of deserted child to a society.

MAINTENANCE OF CHILDREN.

12.—(1) When committing a child to the custody or control of a children's aid society the Judge shall make an order for the payment by the corporation of the municipality to which the child belongs of a reasonable sum, not less than \$2 weekly, for the expense of supporting the child by the society. Order for maintenance by municipality.

or in a temporary home, or in a foster home where children are not cared for without compensation.

When under temporary care of society.

(2) A like order may also be made on the application of a society for the maintenance of a child while under the temporary care of the society.

What presumed to be residence of child.

(3) For the purposes of this section a child shall be deemed to belong to the municipality in which it has last resided for the period of one year; but in the absence of evidence to the contrary residence for one year in the municipality in which the child was taken into custody shall be presumed.

Residence of mother, where child under age of one year.

(4) In the case of a child under one year of age the municipality in which the child's mother has last resided for one year shall be deemed liable for maintenance.

Recovery from other municipalities.

(5) The corporation of a municipality which has made a payment under the provisions of this section for the maintenance of a child in respect to whom some other municipal corporation is liable shall be entitled to recover the amount so paid from such other corporation. 3-4 Geo. V. c. 62, s. 12.

Judge may order parent to contribute.

13.—(1) The Judge may order the parent of a child who has been committed to a children's aid society or placed in a foster home to contribute toward the child's maintenance, and upon default of payment of the amount ordered to be paid may order that such parent be imprisoned for any period not exceeding forty days, and such committal shall not affect the right to a further or other order for committal for a subsequent default.

Municipality not relieved.

(2) Nothing in this section shall relieve the municipal corporation from payment when the parent is unable or refuses to contribute.

Additional maintenance.

(3) At any time after the committal of a child or its being placed in a foster home the children's aid society or foster parent may apply to the Judge for an order for the payment of such additional maintenance as to him may seem just.

Enforcing the order. Rev. Stat. c. 79.

(4) An order made under section 12 or this section may be enforced under *The Judges Orders Enforcement Act*. 3-4 Geo. V. c. 62, s. 13.

TO SELECT FOSTER HOMES.

Power and duty of the society.

14.—(1) The children's aid society to the care of which a child has been committed shall be the legal guardian of such child, and it shall be the duty of such society to use diligence in providing a suitable home for such child.

Society may place child in foster home.

(2) The society may place the child in a foster home during minority, or for any shorter period in the discretion of such society, under a written contract which shall provide

for the education of the child in accordance with the school law of Ontario, for teaching the child some useful occupation, for its kind and proper treatment as a member of the family, and for the payment to the society for the benefit of the child of any sum of money that may be provided for in the contract, and shall contain a provision reserving the right to withdraw the child from any person having its custody when, in the opinion of the society, the welfare of the child so requires.

(3) Where the Superintendent is of opinion that a child placed in a foster home requires special training he may order such child to be transferred to an industrial school or other institution subject to the inspection of the Superintendent or of the Inspector of Prisons and Public Charities, and such transfer shall have the same effect as if made by a Judge. 3-4 Geo. V. c. 62, s. 14.

Superintendent may transfer child to Industrial School.

PENALTY FOR ILL-TREATMENT.

15. Any person having the care, custody, control or charge of a child who ill-treats, neglects, abandons, deserts or fails to support such child shall incur a penalty not exceeding \$100, and shall in lieu of or in addition thereto be liable to imprisonment for a term not exceeding one year. 3-4 Geo. V. c. 62, s. 15.

Ill-treating, neglecting, etc.
Penalty.

STREET TRADES.

16. No girl under sixteen years of age and no boy under ten years of age shall engage in or be licensed or permitted to engage in any street trade or occupation. 3-4 Geo. V. c. 62, s. 16.

Street trades.

CHILDREN OUT AT NIGHT.

17.—(1) No child shall loiter in any public place after nine o'clock in the evening or be there unless accompanied by his parent or guardian or an adult appointed by the parent or guardian to accompany such child.

Child in public place at night.

(2) A child found in a public place after the hour named in subsection 1 unless so accompanied may be warned to go home by any constable or probation officer or officer of a children's aid society, and if after such warning the child is found loitering in a public place such child may be taken by the constable or officer to its home or to the children's shelter.

To be warned and taken home or to shelter.

(3) A parent who permits his child to violate this section shall for the first offence incur a penalty of \$1 without costs, and for a second offence \$2, and for a third or any subsequent offence \$5. 3-4 Geo. V. c. 62, s. 17.

Penalty for parent.

CAUSING CHILDREN TO BE NEGLECTED.

18.—(1) Any person who

(a) causes or procures a child to be in any public place for the purpose of begging or receiving alms or

Offences.
Causing child to beg.

of inducing the giving of alms, whether under the pretence of singing, playing, performing, offering anything for sale or otherwise; or

To perform
or sell in
public after
9 p.m.

(b) causes or procures a child to be in any public place for the purpose of singing, playing, or performing for profit, or offering anything for sale between nine o'clock in the evening of one day and seven o'clock of the following morning; or

To be in
circus, etc.,
for purpose
of perform-
ing.

(c) subject to the provisions of subsection 2, causes or procures any child to be at any time for the purpose of singing, playing or performing for profit or offering anything for sale in any circus or other place of public amusement to which the public are admitted by payment; or

Causing
child to be
a neglected
child.

(d) is guilty of an act or omission which contributes to a child being or becoming a neglected child,

Penalty.

shall incur a penalty not exceeding \$100 and in lieu of or in addition thereto shall be liable to imprisonment for a term not exceeding one year.

Permission
for child
to perform
in public.

(2) In the case of any entertainment or series of entertainments to take place in premises used for public entertainment or in any circus or other place of public amusement, where it is shown that proper provision has been made to secure the health and kind treatment of a child proposed to be employed thereat, the head of the council of the municipality may grant a license for such time and during such hours of the day and subject to such restrictions and conditions as he may think fit for any child over ten years of age of whose fitness to take part in such entertainment or series of entertainments without injury he is satisfied; and such license may at any time be varied, added to or revoked by him.

Officer to be
appointed
to super-
vise.

(3) The municipal council shall assign to some person the duty of seeing that the restrictions and conditions of any license granted under the authority of this section are duly complied with; and such person shall have power to enter, inspect and examine any place at which the employment of a child is for the time being licensed; and that duty shall be discharged by the chief constable of the municipality until some other person is appointed. 3-4 Geo. V. c. 62, s. 18.

POWER OF SEARCH.

Search for
neglected
child.

19.—(1) If it appears to a justice of the peace, on information laid before him on oath by any person who in the opinion of the justice is *bona fide* acting in the interest of the child, that there is reasonable cause to suspect that a child has been or is being ill-treated or neglected in any place within the jurisdiction of such justice in a manner likely to

cause the child unnecessary suffering, or to be injurious to his health or morals, such justice may issue a warrant authorizing any person named therein to search for such child and to take it to and detain it in a place of safety until it can be brought before a Judge, and the Judge before whom the child is brought may cause it to be dealt with as provided for in this Act.

(2) The justice may by the same warrant cause any person accused of an offence in respect of the child to be apprehended and brought before a Judge to be dealt with according to law. Order for apprehension.

(3) Any person authorized by the warrant may enter, if need be by force, any house, building or other place specified in the warrant and may remove the child therefrom. Right of entry by officer.

(4) It shall not be necessary in any information or warrant laid or issued under the provisions of this section to describe a child by name. 3-4 Geo. V. c. 62, s. 19. Particular description not needed.

INTERFERING WITH WARDS.

20.—(1) No person shall

Interfering with wards of Children's Aid Society.

(a) induce any child to leave the building or premises or custody or control of any children's aid society, immigration society, children's institution or industrial school;

(b) induce or attempt to induce a child under the age of twenty-one years to leave any service or apprenticeship or any place where the child has been lawfully placed for the purpose of being nursed, supported, educated, adopted or employed;

(c) induce or attempt to induce any child under the age of twenty-one years to break any articles of apprenticeship or agreement lawfully entered into by or with the authority of the trustees or directors or governing body of any such children's aid society, immigration society, home or asylum respecting such child; or

(d) detain or harbour such child after demand made by or on behalf of any officer of any such society or institution for delivery up of such child.

(2) A person who violates the provisions of this section shall incur a penalty not exceeding \$20. 3-4 Geo. V. c. 62, s. 20. Penalty.

JUVENILE OFFENDERS.

21.—(1) A child charged with an offence against the laws of Ontario or who is brought before a Judge under any of Separate custody of juvenile offenders.

the provisions of this Act shall not, before trial or examination, be confined in a lock-up or a police cell used for persons charged with crime, nor, save as hereinafter mentioned, shall such child be tried or have its case disposed of in the police court room ordinarily used.

Municipal-
ities to pro-
vide same.

(2) The council of every local municipality shall make provision for the separate custody and detention of such child prior to its trial or examination by arrangement with some person or society willing to undertake the responsibility of such temporary custody or detention on such terms as may be agreed upon, or by providing suitable premises entirely distinct and separated from the ordinary lock-ups or police cells.

Children's
Courts.

(3) The Judge shall try such child or examine into its case and dispose thereof in premises other than the ordinary police court premises or, where this is not practicable, in the private office of the Judge if he have one, or in some other room in the municipal building.

Enquiry
may take
place in
premises of
Society.

(4) Where a children's aid society possesses premises affording the necessary facilities and accommodation, a child may, after apprehension under the provisions of this Act, be temporarily taken charge of by the society until its case is disposed of; and the Judge may hold the examination into the case of such child in the premises of the society.

Trial of
offence of
child or
parent—
Excluding
public.

(5) Where a child or a parent charged with an offence in respect of a child under this Act is being tried, the Judge shall exclude from the room or place where such person is being tried or examined all persons other than the counsel and witnesses in the case, officers of the law or of any children's aid society and the immediate friends or relatives of the child or parent. 3-4 Geo. V. c. 62, s. 21.

TO NOTIFY SOCIETY'S AGENT.

Notice of
complaint
against
child to be
sent to
Society.

22.—(1) Where a complaint is made or pending against a child, the police official having charge of the child shall at once cause notice in writing to be given to the executive officer of the children's aid society, if there be one in the county or district, who shall have opportunity allowed him to investigate the charge.

Society's
officer to
make
enquiry.

(2) Upon receiving such notice the officer may enquire into and make full examination as to the parentage and surroundings of the child and all the circumstances of the case and report the same to the Judge.

Judge may
order officer
to take
charge of
child.

(3) Where it appears to the Judge that the public interest and the interest of the child will be best served thereby, an order may be made for the return of the child to its parents or friends, or the Judge may place such child under the guardianship of the children's aid society or of an industrial school. 3-4 Geo. V. c. 62, s. 22.

DISPOSAL OF YOUTHFUL OFFENDERS.

23.—(1) The Judge instead of committing a child to prison may hand over the child to the charge of a home for destitute and neglected children or industrial school or children's aid society, and the managers of such home, school or society may permit its adoption by a suitable person, or may apprentice it to a suitable trade, calling or service, and the transfer shall be as valid as if the managers were the parents of such child. Judge may hand over child to home or Industrial School.

(2) The parents of such child shall not remove or interfere with the child so adopted or apprenticed except by permission in writing of the home, school or society. Interference by parent. 3-4 Geo. V. c. 62, s. 23.

CHILDREN UNDER ARREST.

24. No child held for trial or under sentence in any gaol or other place of confinement shall be placed or allowed to remain in the same cell or room in company with adult prisoners; and the officer in charge of such place of confinement shall secure the exclusion of such child from the society of adult prisoners during its confinement. Child not to be confined in company of adult offenders. 3-4 Geo. V. c. 62, s. 24.

COMMISSIONERS MAY BE APPOINTED.

25. The Lieutenant-Governor may appoint Commissioners with the powers of police magistrates to hear and determine complaints and to enforce any of the provisions of this Act or against juvenile offenders apparently under the age of sixteen years. Commissioners. 3-4 Geo. V. c. 62, s. 25.

DOUBT AS TO AGE.

26. Where a person is charged with an offence under this Act in respect of a child who is alleged to be under a specified age, and the child appears to the Judge to be under that age, such child shall for the purposes of this Act be deemed to be under that age unless the contrary is proved. Presumptive age of child. 3-4 Geo. V. c. 62, s. 26.

APPLICATION FOR PRODUCTION OF CHILD.

27.—(1) Where a parent applies to a Judge of the Supreme Court for an order for the production of a child committed under this Act, and the Judge is of opinion that the parent has neglected or deserted the child or that he has otherwise so conducted himself that the Judge should refuse to enforce his right to the custody of the child the Judge may, in his discretion, decline to make the order. Application to Court for production of child.

Court may
order com-
pensation.

(2) If at the time of the application the child is being brought up by another person or has been placed out by a children's aid society the Judge if he directs the child to be given up to the parent may order that the parent shall pay to such person or society the whole of the expense properly incurred in bringing up the child, or such portion thereof as may seem just.

Order when
child de-
serted or
brought up
by others.

(3) Where a parent has

(a) abandoned or deserted his child; or

(b) allowed his child to be brought up by another person at that person's expense, or by a children's aid society, for such time and under such circumstances as to satisfy the court that the parent was unmindful of his parental duties,

Child not
to be de-
livered to
parent
unless fit
person.

the Judge shall not make an order for the delivery of the child to the parent unless he satisfies the Judge that having regard to the welfare of the child he is a fit person to have the custody of the child.

Order as to
religious
education.

(4) If the Judge is of opinion that the parent ought not to have the custody of the child but that the child is being brought up in a different religion from that in which the parent has a legal right to require that the child shall be brought up, the Judge shall have power to make such order as he may think fit to secure that the child be brought up in that religion.

Child's
wishes to
be con-
sulted.

(5) Nothing in this section shall affect the power of the Judge to consult the wishes of the child in determining what order ought to be made or any right which a child now possesses to exercise its own free choice. 3-4 Geo. V. c. 62, s. 27.

RELIGION OF CHILD.

Roman
Catholic
and Pro-
testant
child.

28.—(1) Notwithstanding anything in this Act, no Protestant child shall be committed to the care of a Roman Catholic children's aid society or institution, nor shall a Roman Catholic child be committed to a Protestant children's aid society or institution; and in like manner no Protestant child shall be placed out in any Roman Catholic family as its foster home, nor shall a Roman Catholic child be placed out in any Protestant family as its foster home.

Where only
one Society
in muni-
cipality.

(2) This section shall not apply to the care of a child in a temporary home or shelter in a municipality in which there is but one children's aid society. 3-4 Geo. V. c. 62, s. 28.

PENALTIES, HOW RECOVERABLE.

Recovery of
penalties.

29. The penalties imposed by or under the authority of this Act shall be recoverable and may be enforced under *The*

Ontario Summary Convictions Act, and the provisions of ^{Rev. Stat. c. 90.} that Act shall apply to prosecutions for a violation of this Act. 3-4 Geo. V. c. 62, s. 29.

RIGHT OF INSPECTION.

30. Every society or person to whose care a child is committed under the provisions of this Act, and every person intrusted with the care of any such child, shall from time to time permit such child to be visited, and any place where such child may be or reside to be inspected by the Superintendent or any person duly authorized in that behalf. 3-4 Geo. V. c. 62, s. 30. ^{Right of Superintendent to inspect.}

JUVENILE IMMIGRATION.

31.—(1) The Lieutenant-Governor in Council may authorize any society or agent to carry on the work of bringing into Ontario neglected or dependent children, who are not feeble-minded and who before arrival in Ontario are certified by a regularly qualified medical practitioner to be free from disease of any kind, for the purpose of providing foster homes for such children or binding them as apprentices or otherwise. ^{Authority to bring children into Ontario.}

(2) Authority to bring such children into Ontario shall only be granted on condition that if any such child becomes, within five years of his immigration, an inmate of a prison, hospital or other charitable institution where such child is likely to become a permanent charge, the Inspector of Prisons and Public Charities shall notify the society or agent under whose auspices the child was brought into Ontario in order that such child may be deported. 3-4 Geo. V. c. 62, s. 31. ^{Conditions of authority.}

32.—(1) Every such society or agent shall keep a record in a register prescribed by the Superintendent for that purpose of the names of all children brought into Ontario, their ages and such particulars as may be required to indicate the provision made for each child's adoption or apprenticeship; and a copy of the records made by each society or agent shall be filed with the Superintendent on the first day of January and July of each year. ^{Societies to keep records.}

(2) Any society or agent who knowingly makes or is a party to the making of or procuring to be made, directly or indirectly, any false return shall incur a penalty of \$1,000 which may be recovered with costs by action at the suit of the Crown only. 3-4 Geo. V. c. 62, s. 32. ^{Penalty for false return.}

33. Every society or agent shall maintain careful supervision over every child brought or caused or procured to be brought into Ontario by such society or agent until such child attains the age of eighteen years; and it shall be the duty of ^{Duties of societies and agents as to children brought into Ontario.}

such society or agent to cause a personal visit by an agent, specially appointed for that purpose, to be made to each such child at least once in every year until the child has attained such age; and for the purposes of this Act, and for the protection of the person and earnings of the child, the society or agent, until the child attains the age of eighteen years, shall have all the powers and shall perform all the duties by law provided in the case of the guardian of an infant. 3-4 Geo. V. c. 62, s. 33.

As to
school
attendance.

34. Every society, agent or person having the custody of any child heretofore or hereafter brought into Ontario shall be entitled to send such child to the public or separate schools of the municipality or school section in which the child resides in the same manner as the child of any ratepayer in the municipality or school section; and every such society, agent or person having the custody of any such child shall be subject to *The Truancy Act* and to the penalties imposed by that Act in the same manner and to the same extent as any ratepayer. 3-4 Geo. V. c. 62, s. 34.

Rev. Stat.
c. 274.

Penalty
for bringing
children
into the
Province
unlawfully.

35. Any society or agent engaging in the work of bringing children to Ontario without an Order in Council permitting them to do so shall on conviction before a magistrate or Judge incur a penalty not exceeding \$100 or in default of payment shall be liable to imprisonment for a period not exceeding three months. 3-4 Geo. V. c. 62, s. 35.
